

ESTTA Tracking number: **ESTTA562220**

Filing date: **09/30/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Jamba Juice Company
Granted to Date of previous extension	09/29/2013
Address	6475 Christie Avenue Suite 150 Emeryville, CA 94608 UNITED STATES

Attorney information	Ann K. Ford DLA Piper LLP (US) 500 8th Street, NW Washington, DC 20004 UNITED STATES Ann.Ford@dlapiper.com, Thomas.Zutic@dlapiper.com, David.Kramer@dlapiper.com, Radiance.Harris@dlapiper.com, David.Huff@dlapiper.com Phone:2027994000
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Applicant Information

Application No	85758427	Publication date	04/02/2013
Opposition Filing Date	09/30/2013	Opposition Period Ends	09/29/2013
Applicant	Jamber LLC 220 Francisco St San Francisco, CA 94111 UNITED STATES		

Goods/Services Affected by Opposition

Class 043. First Use: 2012/01/01 First Use In Commerce: 2012/09/01 All goods and services in the class are opposed, namely: Bar services; Restaurant services
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3375313	Application Date	05/11/2007
Registration Date	01/29/2008	Foreign Priority Date	NONE
Word Mark	JAMBA JUICE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 029. First use: First Use: 2004/11/18 First Use In Commerce: 2004/11/18 Fruit-based snack food and food bars

U.S. Registration No.	4207397	Application Date	07/06/2011
Registration Date	09/11/2012	Foreign Priority Date	NONE
Word Mark	JAMBAGO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2011/04/08 First Use In Commerce: 2011/04/08 Vending in the field of snack food and beverages		

U.S. Registration No.	2879662	Application Date	09/17/2003
Registration Date	08/31/2004	Foreign Priority Date	NONE
Word Mark	JAMBACARD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2002/11/00 First Use In Commerce: 2002/11/00 Issuing gift cards or certificates which may then be redeemed for goods or services		

U.S. Registration No.	3387904	Application Date	03/26/2007
Registration Date	02/26/2008	Foreign Priority Date	NONE
Word Mark	JAMBA JUMP 2 IT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2004/09/22 First Use In Commerce: 2004/09/22 Charitable services, namely, providing financial donations and sponsorship services to individuals, teams, and communities for events and activities promoting health and wellness; and charitable fund raising services		

U.S. Registration No.	3759228	Application Date	04/23/2009
Registration Date	03/09/2010	Foreign Priority Date	NONE
Word Mark	JAMBA JUICE		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 021. First use: First Use: 2009/11/00 First Use In Commerce: 2009/11/00 Non-electric food blenders		
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U.S. Registration No.	3756082	Application Date	04/23/2009
Registration Date	03/02/2010	Foreign Priority Date	NONE
Word Mark	JAMBA JUICE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 2009/11/00 First Use In Commerce: 2009/11/00 novelty toy item in the nature of a blender		

U.S. Registration No.	3651040	Application Date	01/02/2009
Registration Date	07/07/2009	Foreign Priority Date	NONE
Word Mark	JAMBA JUICE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2008/12/18 First Use In Commerce: 2008/12/18 oatmeal		

U.S. Registration No.	2014541	Application Date	06/01/1995
Registration Date	11/05/1996	Foreign Priority Date	NONE
Word Mark	JAMBA JUICE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1995/09/08 First Use In Commerce: 1995/09/08 restaurant services		

U.S. Registration No.	2920918	Application Date	02/02/2004
Registration Date	01/25/2005	Foreign Priority Date	NONE
Word Mark	JAMBA JUICE		
Design Mark			
Description of Mark	The mark consists of the words "JAMBA JUICE" in a semi-circle in a stylized font above a swirl design representing a fruit smoothie.		
Goods/Services	Class 009. First use: First Use: 2003/12/31 First Use In Commerce: 2003/12/31 Prerecorded compact discs, DVDs, audiotapes, videotapes, and videodiscs, featuring music		

U.S. Registration No.	2874887	Application Date	08/19/2003
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Registration Date	08/17/2004	Foreign Priority Date	NONE
Word Mark	JAMBA JUICE		
Design Mark			
Description of Mark	The mark consists of the following colors within the following location: the color green in the letters of Jamba Juice; the color dark violet in the top swirl, the color orange in two rings of the swirl, the color yellow in two rings of the swirl; and the color green in the three bottom rings of the swirl design.		
Goods/Services	Class 043. First use: First Use: 2000/06/00 First Use In Commerce: 2000/06/00 Restaurant, snack and juice bar services		

U.S. Registration No.	2097875	Application Date	12/11/1996
Registration Date	09/16/1997	Foreign Priority Date	NONE
Word Mark	JAMBA JUICE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1995/09/30 First Use In Commerce: 1995/09/30 nutritional drinks and food supplements Class 025. First use: First Use: 1995/09/30 First Use In Commerce: 1995/09/30 clothing, namely, hats, aprons, and T-shirts Class 032. First use: First Use: 1995/09/30 First Use In Commerce: 1995/09/30 fruit and vegetable juices, drinks and smoothies		

U.S. Registration No.	4207398	Application Date	07/06/2011
Registration Date	09/11/2012	Foreign Priority Date	NONE
Word Mark	JAMBA GO		
Design Mark			
Description of Mark	The mark consists of the shaded word, "JAMBA" in a stylized font, to the left of the unshaded word "GO" inside a shaded oval.		
Goods/Services	Class 035. First use: First Use: 2011/04/08 First Use In Commerce: 2011/04/08 Vending in the field of snack food and beverages		

U.S. Registration No.	3967944	Application Date	07/29/2010
Registration Date	05/24/2011	Foreign Priority Date	NONE
Word Mark	JAMBA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2011/04/11 First Use In Commerce: 2011/04/11 processed fruit cups		

U.S. Registration No.	3808554	Application Date	04/23/2009
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Registration Date	06/22/2010	Foreign Priority Date	NONE
Word Mark	JAMBA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2010/03/00 First Use In Commerce: 2010/03/00 frozen novelties, namely, sorbet, and frozen yogurt		

U.S. Registration No.	3871461	Application Date	11/06/2009
Registration Date	11/02/2010	Foreign Priority Date	NONE
Word Mark	JAMBA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2010/04/14 First Use In Commerce: 2010/04/14 clothing and apparel, namely, t-shirts, sweatshirts, and headwear		

U.S. Registration No.	3962706	Application Date	11/06/2009
Registration Date	05/17/2011	Foreign Priority Date	NONE
Word Mark	JAMBA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2011/03/15 First Use In Commerce: 2011/03/15 Trail mix consisting primarily of processed nuts, seeds, dried fruit and also including chocolate		

U.S. Registration No.	3808348	Application Date	06/15/2009
Registration Date	06/22/2010	Foreign Priority Date	NONE
Word Mark	JAMBA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2010/03/00 First Use In Commerce: 2010/03/00 packaged smoothie kit consisting primarily of frozen fruit and frozen fruit and yogurt		

U.S. Registration No.	3296446	Application Date	11/15/2006
Registration Date	09/25/2007	Foreign Priority Date	NONE
Word Mark	JAMBA		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 029. First use: First Use: 2004/11/18 First Use In Commerce: 2004/11/18 Fruit-based snack food and food bars

U.S. Registration No.	3367108	Application Date	06/19/2006
Registration Date	01/08/2008	Foreign Priority Date	NONE
Word Mark	JAMBA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2000/10/04 First Use In Commerce: 2000/10/04 Restaurant services		

U.S. Registration No.	3360385	Application Date	03/31/2004
Registration Date	12/25/2007	Foreign Priority Date	NONE
Word Mark	JAMBA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2006/01/00 First Use In Commerce: 2006/01/00 Computer software, namely, downloadable computer game software, downloadable electronic game software and downloadable video game software		

U.S. Registration No.	2526399	Application Date	03/05/1998
Registration Date	01/08/2002	Foreign Priority Date	NONE
Word Mark	JAMBA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1995/09/00 First Use In Commerce: 1995/09/00 Nutritional drinks [and food supplements] Class 025. First use: First Use: 1995/09/00 First Use In Commerce: 1995/09/00 [Clothing, namely hats, aprons and T-shirts] Class 032. First use: First Use: 1995/09/00 First Use In Commerce: 1995/09/00 Fruit and vegetable based juice drinks and smoothies		

Attachments	JAMBER - OPP - 427 - PART 1.pdf(694480 bytes) JAMBER - OPP - 427 - PART 2.pdf(578785 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Ann K. Ford/
Name	Ann K. Ford
Date	09/30/2013



**In the matter of Service Mark
Application Serial No. 85/758,427
Filing Date: October 19, 2012
Mark: JAMBER
Published for Opposition: April 2, 2013**


Opposition No. _____

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and owns the famous and distinctive trademarks JAMBA and JAMBA JUICE, as well as other JAMBA-formative trademarks, including the following U.S. trademark registrations:

TM/SN/RN/ Disclaimer	Status/Status Date	Goods/Services	Date of First Use
JAMBA JUICE JAMBA JUICE SN:77-179168 RN:3,375,313 Disclaimer: "JUICE"	Registered January 29, 2008	(Int'l Class: 29) Fruit-based snack food and food bars	November 18, 2004
JAMBAGO JAMBAGO SN:85-364536 RN:4,207,397	Registered September 11, 2012	(Int'l Class: 35) Vending in the field of snack food and beverages	April 8, 2011
JAMBACARD SN:78-301748 RN:2,879,662	Registered 8 & 15 November 3, 2009	(Int'l Class: 35) Issuing gift cards or certificates which may then be redeemed for goods or services	November, 2002
JAMBA JUMP 2 IT JAMBA JUMP 2 IT SN:77-140011 RN:3,387,904	Registered February 26, 2008	(Int'l Class: 36) Charitable services, namely, providing financial donations and sponsorship services to individuals, teams, and communities for events and activities promoting health and wellness; and charitable fund raising services	September 22, 2004
JAMBA JUICE JAMBA JUICE SN:77-721139	Registered March 9, 2010	(Int'l Class: 21) Non-electric food blenders	November, 2009

TM/SN/RN/ Disclaimer	Status/Status Date	Goods/Services	Date of First Use
RN:3,759,228 Disclaimer: "JUICE"			
JAMBA JUICE JAMBA JUICE	Registered March 2, 2010	(Int'l Class: 28) Novelty toy item in the nature of a blender	November, 2009
SN:77-721133 RN:3,756,082 Disclaimer: "JUICE"			
JAMBA JUICE JAMBA JUICE	Registered July 7, 2009	(Int'l Class: 30) Oatmeal	December 18, 2008
SN:77-642738 RN:3,651,040			
JAMBA JUICE SN:74-683110 RN:2,014,541 Disclaimer: "JUICE"	Renewed November 5, 2006	(Int'l Class: 42) Restaurant services	September 8, 1995
JAMBA JUICE and Design 	Registered January 25, 2005	(Int'l Class: 9) Prerecorded compact discs, DVDs, audiotapes, videotapes, and videodiscs, featuring music	December 31, 2003
SN:78-361275 RN:2,920,918			
JAMBA JUICE and Design 	Registered 8 & 15 November 20, 2009	(Int'l Class: 43) Restaurant, snack and juice bar services	June, 2000
SN:78-289478 RN:2,874,887 Disclaimer: "JUICE"			

TM/SN/RN/ Disclaimer	Status/Status Date	Goods/Services	Date of First Use
JAMBA JUICE SN:75-211733 RN:2,097,875 Disclaimer: "JUICE"	Renewed September 16, 2007	(Int'l Class: 5) Nutritional drinks and food supplements (Int'l Class: 25) Clothing, namely, hats, aprons, and t-shirts (Int'l Class: 32) Fruit and vegetable juices, drinks and smoothies	September 30, 1995
JAMBA GO and Design  SN:85-364541 RN:4,207,398	Registered September 11, 2012	(Int'l Class: 35) Vending in the field of snack food and beverages	April 8, 2011
JAMBA JAMBA SN:85-095723 RN:3,967,944	Registered May 24, 2011	(Int'l Class: 29) Processed fruit cups	April 11, 2011
JAMBA SN:77-979603 RN:3,808,554	Registered June 22, 2010	(Int'l Class: 30) Frozen novelties, namely, sorbet, and frozen yogurt	March, 2010
JAMBA JAMBA SN:77-867065 RN:3,871,461	Registered November 2, 2010	(Int'l Class: 25) Clothing and apparel, namely, t-shirts, sweatshirts, and headwear	April 14, 2010
JAMBA JAMBA SN:77-867063 RN:3,962,706	Registered May 17, 2011	(Int'l Class: 29) Trail mix consisting primarily of processed nuts, seeds, dried fruit and also including chocolate	March 15, 2011

TM/SN/RN/ Disclaimer	Status/Status Date	Goods/Services	Date of First Use
JAMBA JAMBA SN:77-759966 RN:3,808,348	Registered June 22, 2010	(Int'l Class: 29) Packaged smoothie kit consisting primarily of frozen fruit and frozen fruit and yogurt	March, 2010
JAMBA JAMBA SN:77-044812 RN:3,296,446	Registered September 25, 2007	(Int'l Class: 29) Fruit- based snack food and food bars	November 18, 2004
JAMBA JAMBA SN:78-911608 RN:3,367,108	Registered January 8, 2008	(Int'l Class: 43) Restaurant services	October 4, 2000
JAMBA SN:78-394401 RN:3,360,385	Registered December 25, 2007	(Int'l Class: 9) Computer software, namely, downloadable computer game software, downloadable electronic game software and downloadable video game software	January, 2006
JAMBA SN:75-445205 RN:2,526,399	Renewed January 8, 2012	(Int'l Class: 5) Nutritional drinks (Int'l Class: 32) Fruit and vegetable based juice drinks and smoothies	September, 1995

The above-referenced trademark registrations (collectively, the "JAMBA Marks") are valid and subsisting, and provide conclusive evidence of Jamba's right to use the trademarks in commerce.

Attached hereto as Exhibit A and made part of the record are true and correct copies of the United States Certificates of Registration and TESS print-outs for the above-referenced trademark registrations.

(3) Since as early as 1995, Jamba has continuously used the JAMBA Marks in interstate commerce. Jamba has used the JAMBA Marks in connection with a wide range of goods and services, including but not limited to food, beverages, restaurant and snack bar services, and clothing (hereinafter, the "Jamba Goods & Services). Jamba currently operates over 809 restaurants throughout the world, 774 of which are in the United States.

(4) The JAMBA Marks clearly establish that Jamba has senior trademark rights in its family of JAMBA Marks and consequently there is no question of priority of rights, as such priority clearly belongs to Jamba.

(5) Jamba's United States Trademark Registration Nos. 2,879,662; 2,014,541; 2,874,887; and 2,097,875 are valid and incontestable under Section 15 of the Lanham Act, 15 U.S.C. § 1065 and are, therefore, conclusive evidence of the validity of the registered marks and of the registration of the marks, of Jamba's ownership of the marks, and of Jamba's exclusive right to use the registered marks in commerce under Section 33 of the Lanham Act, 15 U.S.C. § 1115.

(6) Jamba owns twenty five (21) trademark registrations for the JAMBA Marks, with a date of first use at least as early as 1995.

(7) Jamba has extensively used the JAMBA Marks and has advertised, promoted, and offered the Jamba Goods & Services under the JAMBA Marks in interstate commerce through various channels of trade. As a result, Jamba's customers, potential customers, and the public in general have come to know and recognize the JAMBA Marks as identifying the Jamba Goods &

Services as goods and services of the highest quality offered by Jamba, and associate the JAMBA Marks with the Jamba Goods & Services. Jamba has thus built up extensive and invaluable goodwill in connection with the sale of its goods and services offered under its JAMBA Marks.

(8) Notwithstanding Jamba's exclusive and long-standing rights in and to the JAMBA Marks, on October 19, 2012, Applicant, a California limited liability company having an address at 220 Francisco Street, San Francisco, California 94111, filed a use-based application under Section 1(a) of the Lanham Act, 15 U.S.C. § 1051(b), with the USPTO for registration of the service mark JAMBER (hereinafter the "Application"). The Application was assigned Serial No. 85/758,427, with a date of first use at least as early as January 1, 2012 and a date of first use in commerce on September 1, 2012. Jamba's federal registrations for the JAMBA Marks issued as early as November 5, 1996, with a date of first use at least as early as 1995; therefore, there is no issue as to priority as Jamba has prior rights.

(9) Upon information and belief, Applicant knew or had reason to know of Jamba's JAMBA Marks when Applicant filed the Application.

(10) Jamba has used its JAMBA Marks continuously on or in connection with the Jamba Goods & Services in interstate commerce prior to the filing date of Applicant's Application.

LIKELIHOOD OF CONFUSION
Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d)

(11) Jamba re-alleges the allegations contained in Paragraphs 1 through 10 of this Notice of Opposition.

(12) The trademark that Applicant seeks to register so resembles Jamba's JAMBA Marks in appearance, sound, meaning, and commercial impression that the use and registration

thereof is likely to cause confusion, mistake, and deception as to the source or origin of Applicant's Goods in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), and will injure and damage Jamba and the goodwill and reputation symbolized by Jamba's JAMBA Marks.

(13) Applicant's Goods offered under the Application are so related to the goods and services offered under Jamba's JAMBA Marks that the public is likely to be confused, deceived, and to assume erroneously that Applicant's Goods are those of Jamba or that Applicant is in some way connected with, licensed, or sponsored by or affiliated with Jamba, all to Jamba's irreparable damage.

(14) Likelihood of confusion is enhanced by the fact that the JAMBA Marks are strong, famous, well-known, and entitled to a broad scope of protection.

(15) Likelihood of confusion is also enhanced by the fact that Applicant's mark JAMBER is visually and phonetically similar to the JAMBA Marks, and Applicant's Goods are very similar to, if not identical to, the Jamba Goods & Services.

(16) Likelihood of confusion is further enhanced by the fact that the Parties will likely market their goods and services in the same or similar channels of trade.

(17) Applicant is not affiliated or connected with Jamba and has not been endorsed or sponsored by Jamba, nor has Jamba approved any of the goods offered or sold or intended to be sold by Applicant under its trademark.

(18) Applicant has never sought or obtained Jamba's permission to use the mark, nor has Jamba approved any of the goods offered by Applicant under the mark JAMBER.

(19) Jamba's United States Trademark Registrations identified above provide, at the very least, constructive notice to Applicant of Jamba's rights in and to the JAMBA Marks.

DILUTION BY BLURRING
Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c)

(20) Jamba re-alleges the allegations contained in Paragraphs 1 through 19 of this Notice of Opposition.

(21) For several years, Jamba's JAMBA Marks have been widely used and extensively advertised in the United States and internationally. As a result, the JAMBA Marks have become well-known and famous as a distinctive symbol of the Jamba Goods & Services and goodwill.

(22) Jamba's JAMBA Marks became well-known and famous before Applicant made any use of or applied to register the mark JAMBER.

(23) Applicant's mark JAMBER is likely to cause dilution by blurring of the distinctive quality of Jamba's famous JAMBA Marks.

(24) Use and registration of Applicant's mark JAMBER will lessen the capacity of Jamba's famous JAMBA Marks to identify and distinguish the Jamba Goods & Services.

If Applicant obtains such rights as conferred under the Principal Register of the Lanham Act, it will obtain at least a *prima facie* exclusive right to use its service mark, and Jamba will be subjected to great and irreparable damage, and Applicant will enjoy unlawful gain and advantage to which it is not entitled under the Lanham Act.

WHEREFORE, Jamba believes and avers that it is being, and will continue to be, damaged by the registration of the Application, and respectfully requests that the Application be rejected, that no registration be issued thereon to Applicant, and that the Opposition be sustained in favor of Jamba.

Jamba hereby appoints Ann K. Ford, a member of the Bar of the District of Columbia; Thomas E. Zutic, a member of the Bar of the District of Columbia; Ryan C. Compton, a member of the Bar of the District of Columbia; John M. Nading, a member of the Bar of the District of

Columbia; David M. Kramer, a member of the Bar of the District of Columbia; Radiance W. Harris, a member of the Bar of the District of Columbia; and Eunice R. Chung, a member of the Bar of the District of Columbia; and all of the law firm of DLA Piper LLP (US), 500 8th Street, N.W., Washington, D.C. 20004, telephone number (202) 799-4000, to transact all business in the USPTO in connection with this Opposition Proceeding and hereby revokes all previous powers of attorney herein.

Please address all correspondence to:

Ann K. Ford, Esq.
DLA Piper LLP (US)
500 8th Street, N.W.
Washington, D.C. 20004
dctrademarks@dlapiper.com

The filing fee for this opposition, in the amount of \$300.00, is hereby electronically transferred with the submission of the Notice of Opposition.

The undersigned, registered agent for Jamba herein, states that she is authorized to prosecute this Opposition, that she has read and signed the foregoing Notice of Opposition and knows the contents thereof, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of this Opposition and any decision resulting therefrom.

Dated: September 30, 2013

Respectfully submitted,

DLA PIPER LLP (US)

By: /s/ Ann K. Ford/

Ann K. Ford
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500 8th Street, N.W.
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Attorneys for Opposer
Jamba Juice Company

EXHIBIT A



United States Patent and Trademark Office

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JAMBA JUICE

Word Mark	JAMBA JUICE
Goods and Services	IC 029. US 046. G & S: Fruit-based snack food and food bars. FIRST USE: 20041118. FIRST USE IN COMMERCE: 20041118
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77179168
Filing Date	May 11, 2007
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	November 13, 2007
Registration Number	3375313
Registration Date	January 29, 2008
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford, Esq.
Prior Registrations	2097875;2526399;2879665;AND OTHERS
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Int. Cl.: 29

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,375,313

Registered Jan. 29, 2008

**TRADEMARK
PRINCIPAL REGISTER**

JAMBA JUICE

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
6475 CHRISTIE AVENUE, SUITE 150
EMERYVILLE, CA 94608

OWNER OF U.S. REG. NOS. 2,097,875, 2,879,665
AND OTHERS.

FOR: FRUIT-BASED SNACK FOOD AND FOOD
BARS, IN CLASS 29 (U.S. CL. 46).

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "JUICE", APART FROM THE MARK
AS SHOWN.

FIRST USE 11-18-2004; IN COMMERCE 11-18-2004.

SER. NO. 77-179,168, FILED 5-11-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

RON FAIRBANKS, EXAMINING ATTORNEY



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JAMBAGO

Word Mark	JAMBAGO
Goods and Services	IC 035. US 100 101 102. G & S: Vending in the field of snack food and beverages. FIRST USE: 20110408. FIRST USE IN COMMERCE: 20110408
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85364536
Filing Date	July 6, 2011
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	January 3, 2012
Registration Number	4207397
Registration Date	September 11, 2012
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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United States of America
United States Patent and Trademark Office

JAMBAGO

Reg. No. 4,207,397

Registered Sep. 11, 2012

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
6475 CHRISTIE AVENUE, SUITE 150
EMERYVILLE, CA 94608

FOR: VENDING IN THE FIELD OF SNACK FOOD AND BEVERAGES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-8-2011; IN COMMERCE 4-8-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 85-364,536, FILED 7-6-2011.

ODESSA BIBBINS, EXAMINING ATTORNEY



David J. Kyros

Director of the United States Patent and Trademark Office



United States Patent and Trademark Office

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Typed Drawing

Word Mark	JAMBACARD
Goods and Services	IC 035. US 100 101 102. G & S: Issuing gift cards or certificates which may then be redeemed for goods or services. FIRST USE: 20021100. FIRST USE IN COMMERCE: 20021100
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	78301748
Filing Date	September 17, 2003
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	June 8, 2004
Registration Number	2879662
Registration Date	August 31, 2004
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ann K. Ford
Prior Registrations	2014541;2817566;AND OTHERS
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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Int. CL: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,879,662

Registered Aug. 31, 2004

**SERVICE MARK
PRINCIPAL REGISTER**

JAMBACARD

JAMBA JUICE COMPANY (CALIFORNIA COR-
PORATION)
1700 17TH STREET
SAN FRANCISCO, CA 941035136

FIRST USE 11-0-2002; IN COMMERCE 11-0-2002.

OWNER OF U.S. REG. NOS. 2,014,541, 2,817,566
AND OTHERS.

FOR: ISSUING GIFT CARDS OR CERTIFICATES
WHICH MAY THEN BE REDEEMED FOR GOODS
OR SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND
102).

SER. NO. 78-301,748, FILED 9-17-2003.

YONG KIM, EXAMINING ATTORNEY



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JAMBA JUMP 2 IT

Word Mark	JAMBA JUMP 2 IT
Goods and Services	IC 036. US 100 101 102. G & S: Charitable services, namely, providing financial donations and sponsorship services to individuals, teams, and communities for events and activities promoting health and wellness; and charitable fund raising services. FIRST USE: 20040922. FIRST USE IN COMMERCE: 20040922
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Trademark Search Facility Classification Code	NUM-2 The number 2 or the word Two
Serial Number	77140011
Filing Date	March 26, 2007
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	December 11, 2007
Registration Number	3387904
Registration Date	February 26, 2008
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608

Attorney of Record Ann K. Ford, Esq.
Prior Registrations 2110410;2130004;2526399;AND OTHERS
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Int. Cl.: 36

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,387,904

Registered Feb. 26, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

JAMBA JUMP 2 IT

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
6475 CHRISTIE AVENUE, SUITE 150
EMERYVILLE, CA 94608

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

FOR: CHARITABLE SERVICES, NAMELY, PROVIDING FINANCIAL DONATIONS AND SPONSORSHIP SERVICES TO INDIVIDUALS, TEAMS, AND COMMUNITIES FOR EVENTS AND ACTIVITIES PROMOTING HEALTH AND WELLNESS; AND CHARITABLE FUND RAISING SERVICES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

OWNER OF U.S. REG. NOS. 2,110,410, 2,526,399 AND OTHERS.

SER. NO. 77-140,011, FILED 3-26-2007.

FIRST USE 9-22-2004; IN COMMERCE 9-22-2004.

LORETTA C. BECK, EXAMINING ATTORNEY



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JAMBA JUICE

Word Mark	JAMBA JUICE
Goods and Services	IC 021. US 002 013 023 029 030 033 040 050. G & S: Non-electric food blenders. FIRST USE: 20091100. FIRST USE IN COMMERCE: 20091100
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77721139
Filing Date	April 23, 2009
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	September 1, 2009
Registration Number	3759228
Registration Date	March 9, 2010
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA Suite 150 6475 Christie Avenue Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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United States of America

United States Patent and Trademark Office

JAMBA JUICE

Reg. No. 3,759,228 JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
Registered Mar. 9, 2010 SUITE 150

6475 CHRISTIE AVENUE
EMERYVILLE, CA 94608

Int. Cl.: 21

FOR: NON-ELECTRIC FOOD BLENDERS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

TRADEMARK

PRINCIPAL REGISTER FIRST USE 11-0-2009; IN COMMERCE 11-0-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE", APART FROM THE MARK AS SHOWN.

SN 77-721,139, FILED 4-23-2009.

JAMES LOVELACE, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

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JAMBA JUICE

Word Mark	JAMBA JUICE
Goods and Services	IC 028. US 022 023 038 050. G & S: novelty toy item in the nature of a blender. FIRST USE: 20091100. FIRST USE IN COMMERCE: 20091100
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77721133
Filing Date	April 23, 2009
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	September 1, 2009
Registration Number	3756082
Registration Date	March 2, 2010
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA Suite 150 6475 Christie Avenue Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Prior Registrations	2935224;2936485
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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United States of America

United States Patent and Trademark Office

JAMBA JUICE

Reg. No. 3,756,082 JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
Registered Mar. 2, 2010 SUITE 150

6475 CHRISTIE AVENUE
EMERYVILLE, CA 94608

Int. Cl.: 28

FOR: NOVELTY TOY ITEM IN THE NATURE OF A BLENDER, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

TRADEMARK

PRINCIPAL REGISTER FIRST USE 11-0-2009; IN COMMERCE 11-0-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,935,224 AND 2,936,465.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE", APART FROM THE MARK AS SHOWN.

SN 77-721,133, FILED 4-23-2009.

JAMES LOVELACE, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office



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JAMBA JUICE

Word Mark	JAMBA JUICE
Goods and Services	IC 030. US 046. G & S: oatmeal. FIRST USE: 20081218. FIRST USE IN COMMERCE: 20081218
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77642738
Filing Date	January 2, 2009
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	April 21, 2009
Registration Number	3651040
Registration Date	July 7, 2009
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA Suite 150 6475 Christie Avenue Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,651,040

Registered July 7, 2009

**TRADEMARK
PRINCIPAL REGISTER**

JAMBA JUICE

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
SUITE 150
6475 CHRISTIE AVENUE
EMERYVILLE, CA 94608

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-642,738, FILED 1-2-2009.

FOR: OATMEAL, IN CLASS 30 (U.S. CL. 46).

FIRST USE 12-18-2008; IN COMMERCE 12-18-2008.

EUGENIA MARTIN, EXAMINING ATTORNEY



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Typed Drawing

Word Mark	JAMBA JUICE
Goods and Services	IC 042. US 100 101. G & S: restaurant services. FIRST USE: 19950908. FIRST USE IN COMMERCE: 19950908
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74683110
Filing Date	June 1, 1995
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	April 2, 1996
Registration Number	2014541
International Registration Number	0934034; 0957911
Registration Date	November 5, 1996
Owner	(REGISTRANT) Juice Club, Inc. CORPORATION CALIFORNIA 17 Chorro Street, Suite D San Luis Obispo CALIFORNIA 93405 (LAST LISTED OWNER) JAMBA JUICE COMPANY CORPORATION BY ASSIGNMENT CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ann K. Ford
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060328.
Renewal	1ST RENEWAL 20060328
Live/Dead Indicator	LIVE

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Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 2,014,541

Registered Nov. 5, 1996

**SERVICE MARK
PRINCIPAL REGISTER**

JAMBA JUICE

JUICE CLUB, INC. (CALIFORNIA CORPORATION)
17 CHORRO STREET, SUITE D
SAN LUIS OBISPO, CA 93405

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "JUICE", APART FROM THE
MARK AS SHOWN.

FOR: RESTAURANT SERVICES, IN CLASS
42 (U.S. CLS. 100 AND 101).

SN 74-683,110, FILED 6-1-1995.

FIRST USE 9-8-1995; IN COMMERCE
9-8-1995.

AMOS T. MATTHEWS, JR., EXAMINING ATTORNEY



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Word Mark	JAMBA JUICE
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Prerecorded compact discs, DVDs, audiotapes, videotapes, and videodiscs, featuring music. FIRST USE: 20031231. FIRST USE IN COMMERCE: 20031231
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.01.26 - Coils; Spirals; Swirls 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved 26.17.25 - Other lines, bands or bars
Serial Number	78361275
Filing Date	February 2, 2004
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	November 2, 2004
Registration Number	2920918
Registration Date	January 25, 2005
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Prior Registrations	2014541;2097875;2110410;2130004;2130460;2344798;2526399;AND OTHERS

Description of Mark The mark consists of the words "JAMBA JUICE" in a semi-circle in a stylized font above a swirl design representing a fruit smoothie.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 2,920,918

Registered Jan. 25, 2005

**TRADEMARK
PRINCIPAL REGISTER**



JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
1700 17TH STREET
SAN FRANCISCO, CA 941035136

FOR: PRERECORDED COMPACT DISCS, DVDS, AUDIOTAPES, VIDEOTAPES, AND VIDEODISCS, FEATURING MUSIC, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 12-31-2003; IN COMMERCE 12-31-2003.

OWNER OF U.S. REG. NOS. 2,014,541, 2,526,399 AND OTHERS.

THE MARK CONSISTS OF THE WORDS "JAMBA JUICE" IN A SEMI-CIRCLE IN A STYLIZED FONT ABOVE A SWIRL DESIGN REPRESENTING A FRUIT SMOOTHIE.

SER. NO. 78-361,275, FILED 2-2-2004.

INGRID C. EULIN, EXAMINING ATTORNEY



United States Patent and Trademark Office

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Word Mark	JAMBA JUICE
Goods and Services	IC 043. US 100 101. G & S: Restaurant, snack and juice bar services. FIRST USE: 20000600. USED IN ANOTHER FORM The mark was first used anywhere in a different form other than that sought to be registered on 09/08/1995. FIRST USE IN COMMERCE: 20000600
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	01.15.12 - Cyclones; Tomadoes; Whirlpools 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters
Serial Number	78289478
Filing Date	August 19, 2003
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	May 25, 2004
Registration Number	2874887
Registration Date	August 17, 2004
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ann K. Ford

Prior Registrations 2014541;2097875;2110410;2130004;2130460;2344798;2526399;AND OTHERS

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE" APART FROM THE MARK AS SHOWN

Description of Mark The mark consists of the following colors within the following location: the color green in the letters of Jamba Juice; the color dark violet in the top swirl, the color orange in two rings of the swirl, the color yellow in two rings of the swirl; and the color green in the three bottom rings of the swirl design.

Type of Mark SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 2,874,887

Registered Aug. 17, 2004

**SERVICE MARK
PRINCIPAL REGISTER**

Jamba Juice

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
1700 17TH STREET
SAN FRANCISCO, CA 941035136

FOR: RESTAURANT, SNACK AND JUICE BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 6-0-2000, THE MARK WAS FIRST USED ANYWHERE IN A DIFFERENT FORM OTHER THAN THAT SOUGHT TO BE REGISTERED ON 09/08/1995.; IN COMMERCE 6-0-2000, THE MARK WAS FIRST USED IN COMMERCE IN A DIFFERENT FORM OTHER THAN THAT SOUGHT TO BE REGISTERED ON 09/08/1995..

OWNER OF U.S. REG. NOS. 2,014,541, 2,526,399 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF THE FOLLOWING COLORS WITHIN THE FOLLOWING LOCATION: THE COLOR GREEN IN THE LETTERS OF JAMBA JUICE; THE COLOR DARK VIOLET IN THE TOP SWIRL, THE COLOR ORANGE IN TWO RINGS OF THE SWIRL, THE COLOR YELLOW IN TWO RINGS OF THE SWIRL; AND THE COLOR GREEN IN THE THREE BOTTOM RINGS OF THE SWIRL DESIGN.

SER. NO. 78-289,478, FILED 8-19-2003.

JOHN SCHUYLER YARD, EXAMINING ATTORNEY



United States Patent and Trademark Office

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Typed Drawing

Word Mark	JAMBA JUICE
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: nutritional drinks and food supplements. FIRST USE: 19950930. FIRST USE IN COMMERCE: 19950930
	IC 025. US 022 039. G & S: clothing, namely, hats, aprons, and T-shirts. FIRST USE: 19950930. FIRST USE IN COMMERCE: 19950930
	IC 032. US 045 046 048. G & S: fruit and vegetable juices, drinks and smoothies. FIRST USE: 19950930. FIRST USE IN COMMERCE: 19950930
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75211733
Filing Date	December 11, 1996
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	June 24, 1997
Registration Number	2097875
International Registration Number	0934034; 0957911
Registration Date	September 16, 1997
Owner	(REGISTRANT) Juice Club, Inc. CORPORATION CALIFORNIA 1700 17th Street San Francisco CALIFORNIA 94103
	(LAST LISTED OWNER) JAMBA JUICE COMPANY CORPORATION BY ASSIGNMENT CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ann K. Ford
Prior Registrations	2014541
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK

Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20071009.
Renewal 1ST RENEWAL 20071009
Live/Dead Indicator LIVE

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Int. Cls.: 5, 25 and 32

Prior U.S. Cls.: 6, 18, 22, 39, 44, 45, 46, 48, 51 and 52

Reg. No. 2,097,875

United States Patent and Trademark Office

Registered Sep. 16, 1997

**TRADEMARK
PRINCIPAL REGISTER**

JAMBA JUICE

JUICE CLUB, INC. (CALIFORNIA CORPORATION)
1700 17TH STREET
SAN FRANCISCO, CA 94103

FOR: NUTRITIONAL DRINKS AND FOOD SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 9-30-1995; IN COMMERCE 9-30-1995.

FOR: CLOTHING, NAMELY, HATS, APRONS, AND T-SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-30-1995; IN COMMERCE 9-30-1995.

FOR: FRUIT AND VEGETABLE JUICES, DRINKS AND SMOOTHIES, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 9-30-1995; IN COMMERCE 9-30-1995.

OWNER OF U.S. REG. NO. 2,014,541.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "JUICE", APART FROM THE MARK AS SHOWN.

SER. NO. 75-211,733, FILED 12-11-1996.

KAREN KUHLE, EXAMINING ATTORNEY



United States Patent and Trademark Office

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Word Mark	JAMBA GO
Goods and Services	IC 035. US 100 101 102. G & S: Vending in the field of snack food and beverages. FIRST USE: 20110408. FIRST USE IN COMMERCE: 20110408
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.03.21 - Ovals that are completely or partially shaded
Serial Number	85364541
Filing Date	July 6, 2011
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	January 3, 2012
Registration Number	4207398
Registration Date	September 11, 2012
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA S6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Prior Registrations	2526399;3296446;3367108;AND OTHERS
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of the shaded word, "JAMBA" in a stylized font, to the left of the unshaded word "GO" inside a shaded oval.
Type of Mark	SERVICE MARK

Register PRINCIPAL
Live/Dead
Indicator LIVE

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United States of America
United States Patent and Trademark Office

Jamba go

Reg. No. 4,207,398

Registered Sep. 11, 2012

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
86475 CHRISTIE AVENUE, SUITE 150
EMERYVILLE, CA 94608

FOR: VENDING IN THE FIELD OF SNACK FOOD AND BEVERAGES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-8-2011; IN COMMERCE 4-8-2011.

OWNER OF U.S. REG. NOS. 2,526,399, 3,367,108, AND OTHERS.

THE MARK CONSISTS OF THE SHADED WORD, "JAMBA" IN A STYLIZED FONT, TO THE LEFT OF THE UNSHADED WORD "GO" INSIDE A SHADED OVAL.

SN 85-364,541, FILED 7-6-2011.

ODESSA BIBBINS, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office



United States Patent and Trademark Office

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JAMBA

Word Mark	JAMBA
Goods and Services	IC 029. US 046. G & S: processed fruit cups. FIRST USE: 20110411. FIRST USE IN COMMERCE: 20110411
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85095723
Filing Date	July 29, 2010
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	November 2, 2010
Registration Number	3967944
Registration Date	May 24, 2011
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA 6475 Christie Avenue Suite 150 Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Prior Registrations	2526399;3296446;3808348;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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United States of America

United States Patent and Trademark Office

JAMBA

Reg. No. 3,967,944

Registered May 24, 2011

Int. Cl.: 29

TRADEMARK

PRINCIPAL REGISTER

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
6475 CHRISTIE AVENUE
SUITE 150
EMERYVILLE, CA 94608

FOR: PROCESSED FRUIT CUPS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 4-11-2011; IN COMMERCE 4-11-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,526,399, 3,808,348, AND OTHERS.

SN 85-095,723, FILED 7-29-2010.

SALLY SHIH, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office



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JAMBA

Word Mark	JAMBA
Goods and Services	IC 030. US 046. G & S: frozen novelties, namely, sorbet, and frozen yogurt. FIRST USE: 20100300. FIRST USE IN COMMERCE: 20100300
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77979603
Filing Date	April 23, 2009
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	September 1, 2009
Registration Number	3808554
Registration Date	June 22, 2010
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA Suite 150 6475 Christie Avenue Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Prior Registrations	2097875;3188813;3375313;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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United States of America

United States Patent and Trademark Office

JAMBA

Reg. No. 3,808,554

Registered June 22, 2010

Int. Cl.: 30

TRADEMARK

PRINCIPAL REGISTER

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
SUITE 150
6475 CHRISTIE AVENUE
EMERYVILLE, CA 94608

FOR: FROZEN NOVELTIES, NAMELY, SORBET, AND FROZEN YOGURT, IN CLASS 30
(U.S. Cl. 46).

FIRST USE 3-0-2010; IN COMMERCE 3-0-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,097,875, 3,375,313, AND OTHERS.

SN 77-979,603, FILED 4-23-2009.

JAMES LOVILLACE, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office



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JAMBA

Word Mark	JAMBA
Goods and Services	IC 025. US 022 039. G & S: clothing and apparel, namely, t-shirts, sweatshirts, and headwear. FIRST USE: 20100414. FIRST USE IN COMMERCE: 20100414
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77867065
Filing Date	November 6, 2009
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	June 1, 2010
Registration Number	3871461
Registration Date	November 2, 2010
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA Suite 150 6475 Christie Avenue Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Prior Registrations	2526399;3296446;3367108;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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United States of America

United States Patent and Trademark Office

JAMBA

Reg. No. 3,871,461

Registered Nov. 2, 2010

Int. Cl.: 25

TRADEMARK

PRINCIPAL REGISTER

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
SUITE 150
6475 CHRISTIE AVENUE
EMERYVILLE, CA 94608

FOR: CLOTHING AND APPAREL, NAMELY, T-SHIRTS, SWEATSHIRTS, AND HEADWEAR,
IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 4-14-2010; IN COMMERCE 4-14-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,526,399, 3,367,108, AND OTHERS.

SN 77-867,065, FILED 11-6-2009.

VERNA BETH RIRIT, EXAMINING ATTORNEY



David J. Kyros

Director of the United States Patent and Trademark Office



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JAMBA

Word Mark	JAMBA
Goods and Services	IC 029. US 046. G & S: Trail mix consisting primarily of processed nuts, seeds, dried fruit and also including chocolate. FIRST USE: 20110315. FIRST USE IN COMMERCE: 20110315
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77867063
Filing Date	November 6, 2009
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	June 1, 2010
Registration Number	3962706
Registration Date	May 17, 2011
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA Suite 150 6475 Christie Avenue Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Prior Registrations	2526399;3296446;3367108;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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United States of America

United States Patent and Trademark Office

JAMBA

Reg. No. 3,962,706

Registered May 17, 2011

Int. Cl.: 29

TRADEMARK

PRINCIPAL REGISTER

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
SUITE 150
6475 CHRISTIE AVENUE
EMERYVILLE, CA 94608

FOR: TRAIL MIX CONSISTING PRIMARILY OF PROCESSED NUTS, SEEDS, DRIED FRUIT
AND ALSO INCLUDING CHOCOLATE, IN CLASS 29 (U.S. CL. 46).

FIRST USE 3-15-2011; IN COMMERCE 3-15-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,526,399, 3,367,108, AND OTHERS.

SN 77-867,063, FILED 11-6-2009.

VERNA BETH RIRIE, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office



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JAMBA

Word Mark JAMBA
Goods and Services IC 029. US 046. G & S: packaged smoothie kit consisting primarily of frozen fruit and frozen fruit and yogurt. FIRST USE: 20100300. FIRST USE IN COMMERCE: 20100300
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 77759966
Filing Date June 15, 2009
Current Basis 1A
Original Filing Basis 1B
Published for Opposition September 8, 2009
Registration Number 3808348
Registration Date June 22, 2010
Owner (REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA Suite 150 6475 Christie Avenue Emeryville CALIFORNIA 94608
Attorney of Record Ann K. Ford
Prior Registrations 2097875;3188813;3375313;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
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United States of America

United States Patent and Trademark Office

JAMBA

Reg. No. 3,808,348

Registered June 22, 2010

Int. Cl.: 29

TRADEMARK

PRINCIPAL REGISTER

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
SUITE 150
6475 CHRISTIE AVENUE
EMERYVILLE, CA 94608

FOR: PACKAGED SMOOTHIE KIT CONSISTING PRIMARILY OF FROZEN FRUIT AND
FROZEN FRUIT AND YOGURT, IN CLASS 29 (U.S. CL. 46).

FIRST USE 3-0-2010; IN COMMERCE 3-0-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,097,875, 3,375,313, AND OTHERS.

SN 77-759,966, FILED 6-15-2009.

JAMES LOVETACE, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office



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JAMBA

Word Mark	JAMBA
Goods and Services	IC 029. US 046. G & S: Fruit-based snack food and food bars. FIRST USE: 20041118. FIRST USE IN COMMERCE: 20041118
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77044812
Filing Date	November 15, 2006
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	July 10, 2007
Registration Number	3296446
Registration Date	September 25, 2007
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Prior Registrations	2014541;2097875;2879665;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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Int. Cl.: 29

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,296,446

Registered Sep. 25, 2007

**TRADEMARK
PRINCIPAL REGISTER**

JAMBA

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)

6475 CHRISTIE AVENUE, SUITE 150

EMERYVILLE, CA 94608

FOR: FRUIT-BASED SNACK FOOD AND FOOD BARS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 11-18-2004; IN COMMERCE 11-18-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,014,541, 2,879,665 AND OTHERS.

SER. NO. 77-044,812, FILED 11-15-2006.

SUNG IN, EXAMINING ATTORNEY



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JAMBA

Word Mark	JAMBA
Goods and Services	IC 043. US 100 101. G & S: Restaurant services. FIRST USE: 20001004. FIRST USE IN COMMERCE: 20001004
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78911608
Filing Date	June 19, 2006
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	January 30, 2007
Registration Number	3367108
International Registration Number	0954740
Registration Date	January 8, 2008
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford, Esq.
Prior Registrations	2014541;2130004;2781485;AND OTHERS
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,367,108

Registered Jan. 8, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

JAMBA

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
6475 CHRISTIE AVENUE, SUITE 150
EMERYVILLE, CA 94608

FOR: RESTAURANT SERVICES, IN CLASS 43
(U.S. CLS. 100 AND 101).

FIRST USE 10-4-2000; IN COMMERCE 10-4-2000.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,014,541, 2,781,485, AND OTHERS.

SN 78-911,608, FILED 6-19-2006.

SUNG IN, EXAMINING ATTORNEY



United States Patent and Trademark Office

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JAMBA

Word Mark	JAMBA
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Computer software, namely, downloadable computer game software, downloadable electronic game software and downloadable video game software. FIRST USE: 20060100. FIRST USE IN COMMERCE: 20060100
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78394401
Filing Date	March 31, 2004
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	August 30, 2005
Registration Number	3360385
Registration Date	December 25, 2007
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Attorney of Record	Ann K. Ford
Prior Registrations	2110410
Type of Mark	TRADEMARK

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Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 3,360,385

Registered Dec. 25, 2007

**TRADEMARK
PRINCIPAL REGISTER**

JAMBA

JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
6475 CHRISTIE AVENUE, SUITE 150
EMERYVILLE, CA 94608

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

FOR: COMPUTER SOFTWARE, NAMELY, DOWNLOADABLE COMPUTER GAME SOFTWARE, DOWNLOADABLE ELECTRONIC GAME SOFTWARE AND DOWNLOADABLE VIDEO GAME SOFTWARE, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

OWNER OF U.S. REG. NO. 2,110,410.

SN 78-394,401, FILED 3-31-2004.

FIRST USE 1-0-2006; IN COMMERCE 1-0-2006.

DAVID MURRAY, EXAMINING ATTORNEY



United States Patent and Trademark Office

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Typed Drawing

Word Mark	JAMBA
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Nutritional drinks [and food supplements]. FIRST USE: 19950900. FIRST USE IN COMMERCE: 19950900
	(CANCELLED) IC 025. US 022 039. G & S: [Clothing, namely hats, aprons and T-shirts]. FIRST USE: 19950900. FIRST USE IN COMMERCE: 19950900
	IC 032. US 045 046 048. G & S: Fruit and vegetable based juice drinks and smoothies. FIRST USE: 19950900. FIRST USE IN COMMERCE: 19950900
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75445205
Filing Date	March 5, 1998
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	May 22, 2001
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	2526399
International Registration Number	0954740
Registration Date	January 8, 2002
Owner	(REGISTRANT) Jamba Juice Company CORPORATION CALIFORNIA 6475 Christie Avenue, Suite 150 Emeryville CALIFORNIA 94608
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ann K. Ford
Prior Registrations	2014541;2097875;2130004;2130460
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. PARTIAL SECT 8 (6-YR). SECTION 8(10-YR) 20110901.
Renewal	1ST RENEWAL 20110901

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Int. Cls.: 5, 25 and 32

Prior U.S. Cls.: 6, 18, 22, 39, 44, 45, 46, 48, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,526,399

Registered Jan. 8, 2002

**TRADEMARK
PRINCIPAL REGISTER**

JAMBA

**JAMBA JUICE COMPANY (CALIFORNIA CORPORATION)
1700 17TH STREET
SAN FRANCISCO, CA 94103**

FOR: NUTRITIONAL DRINKS AND FOOD SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 9-0-1995; IN COMMERCE 9-0-1995.

FOR: CLOTHING, NAMELY HATS, APRONS AND T-SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-0-1995; IN COMMERCE 9-0-1995.

FOR: FRUIT AND VEGETABLE BASED JUICE DRINKS AND SMOOTHIES, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 9-0-1995; IN COMMERCE 9-0-1995.

OWNER OF U.S. REG. NOS. 2,014,541, 2,130,460 AND OTHERS.

SER. NO. 75-445,205, FILED 3-5-1998.

JULIA HARDY COFIELD, EXAMINING ATTORNEY

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing **NOTICE OF OPPOSITION** was served
via first-class mail addressed to Applicant's correspondent of record:

Jamber LLC
220 Francisco St.
San Francisco, CA 94133-2013

Joshua J. Richman
Senior Counsel
IP Legal Advisors, P.C.
425 Market Street, Suite 2200
San Francisco, CA 94105

this 30th day of September, 2013.

/s/ Ann K. Ford
Ann K. Ford
Attorney for Opposer